

DECLARATION OF MIKI RADOVANOVIC

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1.

My name is Miki Radovanovic. I am above the age of eighteen and competent in all respects to give this Declaration. The facts stated herein are true and based on my personal knowledge.

2.

I am the Chief Operating Officer of Avra Hospitality, LLC ("Avra"). I am not a member of Avra nor do I hold an ownership interest in the company.

3.

Avra is a hospitality management company. As such, Avra provides hotel owners with hotel management services, including operational services, human resource services, revenue enhancement, bookkeeping services, and marketing services, among others.

4.

Currently, Avra manages four hotels – three Hilton-branded hotels located in Rochester, Minnesota, and the small "Inn at Harbor Hill" located in New London, Connecticut. Avra does not hold an ownership interest in any of these four hotels.

5.

Avra has never managed, and is not currently managing, any hotels located anywhere within the State New York.

6.

Avra does not own or maintain any offices in New York, and none of Avra's officers, agents or employees are based in New York or reside in New York. Avra does not have any assets

located in New York and does not transact business in New York.

7.

Avra's corporate office and principal place of business is located in Rochester, Minnesota. All of Avra's employees, with the limited exception of those employees assigned to work at the "Inn of Harbor Hill" in Connecticut, are based and work in Rochester, Minnesota.

8.

I was never personally served with the Complaint and Summons in the above-styled lawsuit. These papers appear to have been handed to Avra's Vice President of Revenue, Maria Cvetkovic. Ms. Cvetkovic is not Avra's registered agent. More importantly, I have never authorized Ms. Cvetkovic to accept service on my behalf.

9.

I, personally, do not have any business dealings in New York. I do not own, lease or rent any real or personal property (residential or commercial) located in New York. I do not own any assets located in New York nor do I maintain any bank accounts in New York. I do not file taxes in New York, hold a New York driver's license, nor am I registered to vote in New York.

10.

More than 95% of Avra's gross revenues are generated within the State of Minnesota, with the balance earned within the State of Connecticut. Avra does not generate any revenue within the State of New York.

11.

Avra is a business-to-business company, and does not engage in sales directly with consumers. Instead, consumers interact directly with Avra's clients (i.e., the owners of the hotels) and book rooms through websites maintained by those hotel owners, hotel brands and certain third-

party booking agents – notably, not Avra. To be clear, Avra has not and does not engage in any sales transactions with consumers located in New York.

12.

Avra's hospitality management service website launched in October 2017. Avra's website is **not** configured to process, transact or engage in any sales, and a consumer is **not** able to book rooms in any of hotels managed by Avra using that website. Instead, the website is solely informational in nature – and is simply provided so that owners of hotels may learn about Avra's services and experience.

13.

There is a "Career Opportunities" tab on Avra's website, which allows individuals interested in working at an Avra-managed hotel to view open positions. There is also a "Contact Us" portal on Avra's website that was designed for the purpose of allowing hotel owners to provide us their contact information if they are interested in discussing our hotel management services. If someone were to enter information using this portal, an email would be sent to myself or Michelle Milde, our Marketing Manager. But, other than the initial submission that was sent by us internally to test the portal's operability when the website was launched, we have not received any other submissions through the "Contact Us" portal.

14.

To date, I am unaware of a single instance in which Avra has been contacted by a New York consumer as a result of Avra's website or online presence.

15.

My primary residence is located in Rochester, Minnesota.

16.

Until recently, my personal office for Avra was located at 10 East Center St, Rochester, Minnesota 55904. On or about September 3, my office was relocated to 150 S. Broadway, Rochester, Minnesota 55904. When Ms. Cvetkovic was served with this lawsuit on or about August 22, 2019, neither myself nor Mr. Chafoulias maintained offices at the location where she was served.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 12 day of September, 2019.


MIKI RADOVANOVIC